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March 19, 2018

VIA ECF AND E-MAIL

The Hon. Judge Cathy Seibel
The Hon. Charles L. Brieant Jr.
Federal Building and United States Courthouse
300 Quarropas St., Courtroom: 621
White Plains, NY 10601-4150
chambersnysdseibel@nysd.uscourts.gov

Re: *Can't Stop Productions, Inc. v. Sixxvux, Ltd. et al.* 7:17-cv-06513-CS

Hon. Judge Seibel:

We represent the defendants in the above referenced action. We write in response to Intervenor's Reply to Emergency Request for Modification of TRO. While we normally would not respond to a reply, we felt it necessary to clarify the confusion that Intervenor is causing and to respond to Intervenor's unfounded accusations.

On Sixxvux' Facebook page currently located at Facebook/officialkingsofdisco, the only places where the page still says "Official Village People" is the name that only Facebook can change. Sixxvux already tried to change that, but was not able to, and as stated on Friday and in our prior letter, we have made that request to Facebook. This is one of the difficulties with making immediate changes to social media platforms, as effectuating certain changes is not within Sixxvux' control. As discussed at the hearing, Sixxvux is trying to preserve their historical data and have the name change effectuated in a way that preserves that data. Furthermore, if Facebook does not change that by March 23, 2018, the page will be disabled or frozen in accordance with the Order. None of this is trickery or backdoor use, nor is it an infringement, or evidence of passing-off or creating confusion, and it is definitely not a violation of the TRO. The Court addressed these issues that were raised at the hearing, by requiring the banners that are currently up on the page, which clearly state that it is not the page for Village People. Sixxvux has complied with that and as such it is not possible that this is creating confusion. If a user comes to the page the first thing they see is the banner stating that this is not the page for Village People and if the viewer is looking for Village People to go to Intervenor's page, as required by the Court.

We appreciate the Court's time and consideration, and should Your Honor need any further information or if the Court would like to discuss any of the above, we are available at the Court's convenience.

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Respectfully Submitted,

ADELMAN MATZ P.C.

A handwritten signature in black ink, appearing to be 'SM' with a colon, representing Sarah M. Matz.

Sarah M. Matz, Esq.

Cc. *(Via ECF and E-Mail)*
Counsel for Plaintiff
Karen Willis